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Hon. Frederick P. Corbit

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Attorneys for Jun Dam

**UNITED STATES BANKRUPTCY COURT
 EASTERN DISTRICT OF WASHINGTON**

In re:

Case No: 18-03197-FPC7

Chapter 7

GIGA WATT, Inc., a Washington
 corporation,

**APPELLANT'S DESIGNATION OF
 RECORD AND STATEMENT OF ISSUES
 ON APPEAL**

Debtor.

Appellate Case No: 21-cv-00291-SAB
 (E.D. Wash.)

Pursuant to Fed. R. Bankr. P. 8009, Appellant Jun Dam on behalf of himself and all other similarly situated persons in the proposed Class hereby files this Statement of Issues to be Presented on Appeal and Designation of Items to be Included in the Record on Appeal to the United States District Court for the Eastern District of Washington on his appeal from the following order of the Bankruptcy Court:

- Memorandum Opinion and Order Regarding Stay and Motion for Order to Show Cause [ECF No. 921] entered in Bankruptcy proceeding no. 18-03197-

FPC7 by the Bankruptcy Court, the Hon. Frederick P. Corbit, on September 27, 2021.

I. STATEMENT OF ISSUES ON APPEAL

1. Whether the Bankruptcy Court erroneously held Class Complaint Counts I, II, and III belong to the estate and the automatic stay applies to them.

II. DESIGNATION OF ITEMS TO BE INCLUDED IN RECORD ON APPEAL

A. Items from *Waldron v. Perkins Coie LLP*, Adversary Case No. 20-80031

Designation No.	Date	ECF No.	Document Description
1	11/19/2020	6	COMPLAINT. Filed by Pamela Marie Egan on behalf of Mark D. Waldron against all defendants (Re1 Complaint). (Attachments: # 1 Exhibit A) (Egan, Pamela) DEPUTY Clerk Note: Redacted Adversary Complaint. Modified on 11/19/2020 (CMR). (Entered: 11/19/2020)

B. Items from *In re Giga Watt, Inc.*, Case No. 18-03197-FPC7

Designation No.	Date	ECF No.	Document Description
1	06/15/2021	889	MOTION For Contempt Against Jun Dam-. Filed by Pamela Marie Egan on behalf of Mark Waldron. (Egan, Pamela) (Entered: 06/18/2021)
2	06/18/2021	890	MEMORANDUM signed by Pamela M. Egan (RE: Motion for Contempt889). Filed by Pamela Marie Egan on behalf of Mark Waldron (Egan, Pamela) (Entered: 06/18/2021)
3	06/21/2021	891	NOTICE of Motion and Time to Object. Filed by Pamela Marie Egan on behalf of Mark Waldron (RE: Motion for Contempt889). (Egan, Pamela) (Entered: 06/21/2021)
4	06/22/2021	892	CERTIFICATE of Service to Limited Mailing List Filed by Pamela Marie Egan on behalf of Mark Waldron (RE: Notice of Motion and Time to Object891). (Egan, Pamela) (Entered: 06/22/2021)
5	07/13/2021	893	OBJECTION (RE: Motion for Contempt889). Filed by Ralph E Cromwell Jr on behalf of Perkins Coie LLP (Cromwell, Ralph) (Entered: 07/13/2021)
6	07/14/2021	894	MOTION to Extend Time to File Document: Objection to Trustee's Motion for Order to Show

			Cause re Jun Dam to July 22, 2021. (RE: MOTION For Contempt Against Jun Dam 889). Filed by Dennis J. McGlothlin on behalf of Jun Dam. (Attachments: # 1 Proposed Form of Order) (McGlothlin, Dennis). DEPUTY Clerk Note: Related transaction added to docket text. Modified on 7/15/2021 (NNU). (Entered: 07/14/2021)
7	07/14/2021	895	ORDER Uploaded. Filed by McGlothlin, Dennis. (RE: 894) (Entered: 07/14/2021)
8	07/15/2021	896	ORDER Granting Motion to Extend Time to Serve and File an Objection to Trustee's Motion for Order to Show Cause re Jun Dam to July 22, 2021 (RE: 894). (NNU) (Entered: 07/15/2021)
9	07/22/2021	900	APPLICATION for Timothy G. Blood to Appear Pro Hac Vice. Filed by Dennis J. McGlothlin on behalf of Jun Dam. (Attachments: # 1 Proposed Form of Order) (McGlothlin, Dennis) (Entered: 07/22/2021)
10	07/22/2021	901	DECLARATION signed by Timothy G. Blood (RE: Application to Appear Pro Hac Vice900). Filed by Dennis J. McGlothlin on behalf of Jun Dam (McGlothlin, Dennis) (Entered: 07/22/2021)
11	07/22/2021	902	ORDER Uploaded. Filed by McGlothlin, Dennis. (RE: 900) (Entered: 07/22/2021)
12	07/22/2021	903	OBJECTION (RE: Motion for Contempt889). Filed by Dennis J. McGlothlin on behalf of Jun Dam (McGlothlin, Dennis) (Entered: 07/22/2021)
13	07/22/2021	904	DECLARATION Supporting Jun Dam's Opposition to Motion for Order to Show Cause signed by Timothy G. Blood (RE: Motion for Contempt889, Objection 903). (Attachments: # 1 Exhibit 01 # 2 Exhibit 2 # 3 Exhibit 03 # 4 Exhibit 04 # 5 Exhibit 05 # 6 Exhibit 06 # 7 Exhibit 07 # 8 Exhibit 08 # 9 Exhibit 09 # 10 Exhibit 10) Filed by Dennis J. McGlothlin on behalf of Jun Dam (McGlothlin, Dennis). Modified on 7/23/2021 (NNU). (Entered: 07/22/2021)
14	07/23/2021	905	ORDER Granting Application to Appear Pro Hac Vice. Pursuant to Local Bankruptcy Rule 9010-1(a)(3) and Local Rule 83.2 of the United States District Court for the Eastern District of Washington, Attorney Timothy G Blood for Jun Dam Plaintiff in Dam v. Perkins Coie, LLP, et al., Case No. 2:20-cv-00464-SAB is hereby admitted pro hac vice to practice in the United States Bankruptcy Court for the Eastern District of Washington in the above-captioned case and any related bankruptcy cases and adversary proceedings. Counsel of record, Dennis McGlothlin, shall sign all pleadings, motions, and other papers

			prior to filing, and shall meaningfully participate in this case. SO ORDERED. Frederick P. Corbit, U.S. Bankruptcy Judge. TEXT-ONLY ENTRY; NO PDF DOCUMENT WILL BE ISSUED. RECEIPT Number 26SPNKM9, Fee Amount \$200.00 (RE: 900) . (NNU) (Entered: 07/23/2021)
15	07/29/2021	906	REPLY to J Dam's Objection to Trustee's Motion for Order to Show Cause signed by Pamela M. Egan (RE: Motion for Contempt889, Objection 903). Filed by Pamela Marie Egan on behalf of Mark Waldron (Egan, Pamela). Modified on 7/30/2021 (NNU). (Entered: 07/29/2021)
16	08/03/2021	907	NOTICE of Appearance. Please take notice that Timothy G. Blood hereby enters an appearance in this case on behalf of Jun Dam, and requests that all papers and pleadings relevant to this action be directed to: Timothy G. Blood 501 West Broadway, Suite 1490 San Diego, CA 92101 tblood@bholaw.com 619-338-1100. Filed by Timothy G. Blood on behalf of Jun Dam (Blood, Timothy) (Entered: 08/03/2021)
17	08/09/2021	908	NOTICE of Hearing. Hearing scheduled 8/17/2021 at 11:00 AM via Zoom with Judge Corbit. A Zoom link will be provided separately. Filed by Pamela Marie Egan on behalf of Mark Waldron (RE: Motion for Contempt889). (Egan, Pamela) DEPUTY Clerk Note: Hearing information added to docket text. Modified on 8/10/2021 (NNU). (Entered: 08/09/2021)
18	08/09/2021	909	CERTIFICATE of Service. I, Pamela M. Egan, certify under penalty of perjury that the following is true and correct. I am over the age of eighteen. On 8/9/2021, I filed the following document(s): Notice of Hearing [ECF 908]. The recipient(s) name, address and/or email: pam@dadkp.com, quentin@dadkp.com, tblood@bholaw.com, efile@bholaw.com, toreardon@bholaw.com, dboyd@hummerboyd.com, kvoelker@hummerboyd.com, sbrennan@outsidegeneralcounsel.com, admin@outsidegeneralcounsel.com, rcastro@rcastrolaw.com, castro.ava@gmail.com, rcromwell@byrneskeller.com, lyoshinaga@byrneskeller.com, mkitamura@byrneskeller.com, docket@byrneskeller.com, doupe@ryanlaw.com, doupear96329@notify.bestcase.com, Gary.W.Dyer@usdoj.gov, salishsealegal@outlook.com, SHenrie@williamskastner.Com,

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19	08/17/2021	916	MINUTE Entry. Trustee's Motion for Sanctions. HELD. The court heard argument of counsel and took the matter under advisement. Appearances: Pamela Egan, attorney for trustee Waldron; Mark Waldron, trustee; Ralph Cromwell and John Munding, attorneys for Perkins Coie et al; Timothy G. Blood and Thomas J. O'Reardon, attorneys for Jun Dam. (related document(s): 889 Motion for Contempt filed by Mark Waldron) (JKB) (Entered: 08/17/2021)
20	08/30/2021	920	VERBATIM Report/Transcript from hearing held on 08/17/2021. THIS TRANSCRIPT WILL BE MADE ELECTRONICALLY AVAILABLE TO THE

APPELLANT'S DESIGNATION OF RECORD AND
STATEMENT OF ISSUES ON APPEAL - 5
Case No. 2:20-cv-00464

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			GENERAL PUBLIC 90 DAYS AFTER THE DATE OF FILING. TRANSCRIPT RELEASE DATE IS 11/29/2021. Until that time the transcript may be viewed at the Bankruptcy Court. For information about how to contact the transcriber, call the Clerk's Office. (RE: related document(s) 916 MINUTE Entry. Trustee's Motion for Sanctions. HELD. The court heard argument of counsel and took the matter under advisement. Appearances: Pamela Egan, attorney for trustee Waldron; Mark Waldron, trustee; Ralph Cromwell and John Munding, attorneys for Perkins Coie et al; Timothy G. Blood and Thomas J. O'Reardon, attorneys for Jun Dam. (related document(s): 889 Motion for Contempt filed by Mark Waldron) (JKB)). Notice of Intent to Request Redaction Deadline Due By 9/7/2021. Redaction Request Due By 09/20/2021. Redacted Transcript Submission Due By 09/30/2021. Transcript access will be restricted through 11/29/2021. (Cozza, Gina) (Entered: 08/30/2021)
21	09/27/2021	921	MEMORANDUM Opinion and Order Regarding Stay and Motion for Order To Show Cause (RE: Motion for Contempt889). (NNU) (Entered: 09/27/2021)
22	10/07/2021	922	NOTICE of Appeal and Statement of Election to District Court. Fee Amount \$298. Filed by Dennis J. McGlothlin on behalf of Jun Dam (RE: 921 Memorandum Decision, Written Opinion). (Attachments: # 1 Exhibit A)(McGlothlin, Dennis) (Entered: 10/07/2021)

III. TRANSCRIPTS OF PROCEEDINGS

Fed. R. Bankr. P. 8009(b)(1)(A) requires an appellant to order in writing from the reporter a transcript of such parts of the proceedings not already on file as the appellant considers necessary for the appeal, and file a copy of the order with the bankruptcy clerk. The docket for this case indicates that a transcript of the August 17, 2021, hearing regarding the Trustee's Motion for Sanctions before this Court in *In re Giga Watt, Inc.*, Case No. 18-03197-FPC7 is already on file at ECF No. 920, as above. Appellant has obtained a copy of the transcript from Gina Cozza of Invisible Business Solutions, 518 East Nebraska, Spokane, WA

1 99208: on October 21, 2021, and determined that the entire hearing is included in the said
2 transcript.

3
4 DATED this _21st day of October, 2021

5 /s/ Dennis J. McGlothin

6 Dennis McGlothin, WSBA #28177
7 Attorney for Appellants

8 Name, address, and telephone number of attorney for
9 appellants:

10 Dennis J. McGlothin, WSBA No. 28177
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28 *Attorneys for Appellants*

CERTIFICATE OF SERVICE

I hereby certify that on October 21, 2021, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF System, which will automatically generate a Notice of Electronic Filing (NEF) to all parties in the case who are registered users of the CM/ECF System. The NEF for the foregoing specifically identifies recipients of electronic notice.

Executed on October 21, 2021.

By /s/ Dennis J. McGlothlin

DENNIS J. McGLOTHIN

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